

**PUBLIC MEETING MINUTES
FOR CORRECTIONS OFFICER RETIREMENT PLAN LOCAL BOARD
ARIZONA DEPARTMENT OF CORRECTIONS**

A public meeting of the Corrections Officer Retirement Plan Local Board for the Arizona Department of Corrections was convened **Wednesday, December 4, 2013 10:00 a.m.** at the Industrial Commission Building, 800 W Washington, Phoenix, Arizona, 85007.

Present at the meeting were the following individuals:

Michael Smarik, Board Chair	Carson McWilliams, Board Member
Staci Fay, Board Member	Pamela Linnins, Asst. Attorney General
Paul Turley, Board Member	George Herman, Board Member - absent
Jeffrey Potter, Board Secretary	Mary Turner, Pension Coordinator
Donna Kuykendall – Member’s Wife	Thomas Griffin – Blasé attorney
Alvin Blasé – Member’s father	Keri Blasé - Member

- I. CALL TO ORDER** – Called to order the Local CORP Board meeting by **Michael Smarik** at **10:12 a.m., Wednesday December 4, 2013.** Due to change in location the Board decided to move the start time. A call was placed to the 1831 Building requesting that an additional note be placed on the front door listing the new location address even though the agenda was posted with the new address in accordance with Arizona Revised Statutes.

II. APPROVAL OF MINUTES –

MOTION 12-13-01	
Motion:	Approval of corrected Public Session Minutes from November 7, 2013.
Moved by:	S. Fay
Seconded by:	C. McWilliams
Discussion:	None
In Favor:	Unanimous
Motion:	Passed

III. DISABILITY RETIREMENTS –

MOTION 12-13-02	Call for Executive Session
Motion:	Go to Executive Session
Moved by:	C. McWilliams
Seconded by:	S. Fay
Discussion:	None
In Favor:	Unanimous
Motion:	Passed

**Go to Executive Session at 10:15 a.m.
Return from Executive Session at 10:53 a.m.**

a. Judicial Review Action – Keri Blasé

MOTION 12-13-03	
Motion:	That Pam Linnins respond to Judicial Review as she feels appropriate. Added to motion and any future filings.
Moved by:	C. McWilliams
Seconded by:	S. Fay
Discussion:	If the Board receives a Judicial Review, the Board requested that Ms. Linnins does what she feels appropriate.
In Favor:	Unanimous
Motion:	Passed

b. Carl Ambrose – Ordinary Disability

MOTION 12-13-04	
Motion:	Deny Ordinary Disability Claim
Moved by:	C. McWilliams
Seconded by:	S. Fay
Discussion:	Mr. Ambrose currently is eligible to file for a normal retirement. Statutes do not allow him to file for an ordinary disability if he is eligible for a normal retirement benefit.
In Favor:	Unanimous
Motion:	Passed

c. Keri Blasé – Ordinary Disability

MOTION 12-13-05	
Motion:	Request additional information from IME doctor to see if the medical condition is pre-existing.
Moved by:	C. McWilliams
Seconded by:	S. Fay
Discussion:	IME requested additional medical documentation that the employee was unable to obtain, even though they made attempts to recover. The Board needs to determine if the current condition is pre-existing. The Board requested that the IME doctor use his best judgment with the medical records he has and from his examination to determine if it is a pre-existing condition. The attorney requested the IME doctor's reply prior to the board meeting in which it will be discussed/voted upon. M. Smarik note the request.
In Favor:	Unanimous
Motion:	Passed

d. Corey Kuykendall – Accidental and Total and Permanent claims

MOTION 12-13-06	
Motion:	Seek clarification if pepper spray caused the medical condition; if so

	consider moving forward on a neuropsychological evaluation.
Moved by:	C. McWilliams
Seconded by:	S. Fay
Discussion:	The Board reviewed the IME. The Board needs to investigate to see if pepper spray caused the medical problems the member claims he is experiencing. If the IME doctor determines that it is not the cause, then the disability cannot be approved since it is not related to an injury at work. If the IME doctor determines it is, the Board may request a neuropsychological evaluation per the IME doctor's request.
In Favor:	Unanimous
Motion:	Passed

MOTION 12-13-07	
Motion:	Provide a copy of the IME for Corey Kuykendall to Mrs. Donna Kuykendall
Moved by:	C. McWilliams
Seconded by:	S. Fay
Discussion:	None.
In Favor:	Unanimous
Motion:	Passed

IV. NORMAL RETIREMENTS –

The following applications have been filed and are presented for Local Board consideration:
The Board has received all retirement documentation from all applicants.

a. November 1, 2013 - adjustment were required due to calculation issues

- 1. Bryan Dennis**
- 2. Steven Flores**
- 3. Linda Forester**
- 4. Jo Mountain**

b. December 1, 2013

- 1. Michael McCarville**
- 2. Frank Ontiveros**
- 3. Ralph Tillapaugh**

c. January 1, 2014

- 1. Dale Almarode**
- 2. Linda Nichols**
- 3. Claude O'Barr**
- 4. Carolyn Ornelas**
- 5. Shawn Radford**

d. February 1, 2014

- 1. George Ned**
- 2. Travis Nelson**

e. March 1, 2014

1. James Petty

f. Deferred Annuity

1. John Payne

MOTION 12-13-08	
Motion:	Approve IV. a,b,c,d,e for normal retirement and IV. f. for a deferred annuity upon receipt of all final documentation.
Moved by:	C. McWilliams
Seconded by:	S. Fay
Discussion:	Section V.a. required recalculation.
In Favor:	Unanimous
Motion:	Passed

V. SURVIVOR BENEFITS – The following applications have been filed and are presented for Local Board consideration:

- a. James Billingsley (Judith)**
- b. Jimmy Ferguson (Judy)**
- c. Brett Murphy (Elizabeth)**

MOTION 12-13-09	
Motion:	Approve Survivor Benefits for V. a,b,c
Moved by:	C. McWilliams
Seconded by:	S. Fay
Discussion:	All documentation has been received
In Favor:	Unanimous
Motion:	Passed

VI. DEATH BENEFITS - –The following applications have been filed and are presented for Local Board consideration:

a. Dallas Augustine – need to rescind 11/2012 approval

MOTION 12-13-10	
Motion:	Rescind death benefit approved for Katherine A Alfano in November 2012 Board Meeting. Approve death benefit to the Estate of Jessie McCaskill, designated beneficiary of Dallas Augustine
Moved by:	S. Fay
Seconded by:	C. McWilliams
Discussion:	The original individual that applied for the benefit decided not to continue with the process.
In Favor:	Unanimous
Motion:	Passed

b. Joe Argel (Mary K Etie)

MOTION 12-13-11	
Motion:	Approve Death Benefit VI b.
Moved by:	C. McWilliams
Seconded by:	P. Turley
Discussion:	Received all documentation
In Favor:	Unanimous
Motion:	Passed

VII. REQUEST TO REMAIN IN ASRS/CORP –

The following application has been filed and presented to the Local Board consideration:

- a. None**

VIII. GENERAL DISCUSSION –

a. Waiver Quarterly Report

Board requested that the report include the number of years a member is on the waiver. Next report will be presented at the March Board meeting.

IX. CALL TO PUBLIC –

There were no members of the public responding to the call

MOTION 12-13-12	
Motion:	Adjourn meeting at 11:38 a.m.
Moved by:	S. Fay
Seconded by:	C. McWilliams
Discussion:	None
In Favor:	Unanimous
Motion:	Passed

Transcribed on 4th day of December 2013.

Jeffrey G. Potter, Local Board Secretary